

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

ZACHARY D. BENNETT,

Plaintiff,

v.

CV 115-177

GROVETOWN POLICE DEPARTMENT;

JONES NALLEY, Investigator, Grovetown

Police Department; and GARY OWENS,

Police Chief (Ret.), Grovetown Police

Department,

Defendants.

ORDER

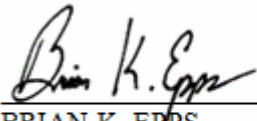
Plaintiff, an inmate formerly incarcerated at Columbia County Detention Center in Grovetown, Georgia, commenced the above-captioned case pursuant to 42 U.S.C. § 1983. Plaintiff is proceeding *pro se* and sought leave to proceed *in forma pauperis* (“IFP”). (Doc. no. 2.) The Court granted Plaintiff leave to proceed IFP and assessed a partial filing fee of \$48.80 on December 9, 2015. (Doc. nos. 3, 6.) Plaintiff paid the partial filing fee of \$48.80 on December 11, 2015, and remitted another \$10.00 from his prison account in accordance with the Court’s Order on December 23, 2015. On January 6, 2016, Plaintiff filed a notice indicating he has been released from incarceration, (see doc. nos. 7, 8), and thus he can no longer proceed IFP pursuant to his former status as an incarcerated litigant. Therefore, the Court **REVOKES** Plaintiff’s leave to proceed IFP.

As Plaintiff’s IFP status has been revoked, Plaintiff must submit the remainder of the

\$400.00 filing fee or a new motion to proceed IFP if he wishes to pursue the above-captioned case.¹ See Loc. R. 4.1. Plaintiff shall have twenty-one days from the date of this Order to submit the filing fee or any appropriate IFP forms. Upon receipt of the new IFP motion, the Court will determine whether Plaintiff should be granted leave to proceed IFP or whether Plaintiff should pay the remainder of the \$400.00 filing fee. If no response is timely received from Plaintiff, the Court will presume that he desires to have this case voluntarily dismissed and will recommend dismissal of this action, without prejudice. Plaintiff is cautioned that, while this action is pending, he shall immediately inform this Court of any change of address.

Failure to comply with the terms of this Order within twenty-one days of the undersigned date will result in a recommendation to the presiding District Judge that this case be dismissed without prejudice.

SO ORDERED this 8th day of January, 2016, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹The Court **DIRECTS** the **CLERK** to attach a copy of the standard IFP form and supporting affidavit used by non-incarcerated *pro se* litigants filing a civil rights case in the Southern District of Georgia, stamped with this case number, to Plaintiff's service copy of this Order.